

A STUDY OF UNCONVICTED AND CONVICTED PRISONERS IN THE NIGERIAN PRISONS:
IMPLICATIONS FOR PRISON CONGESTION (A CASE OF AGODI PRISONS IBADAN)

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ABSTRACT

The prisons are supposed to be a reformation and rehabilitation centre for convicted prisoners who are convicted for one crime or the other and not for the unconvicted ones who are still awaiting court trials. However, what has become of the Nigeria's prisons is the congestion of both the convicted and unconvicted prisoners. The study is therefore an examination of unconvicted and convicted prisoners in the Nigeria's prisons and its implication for prisons congestion and the Nigeria's criminal justice system at large. The research adopted the primary source of data in collating information which were derived directly from the records office of the Agodi prisons Ibadan from 2001-2008 to correlate if there is a significant relationship between unconvicted and convicted prisoners in the Agodi prisons, Ibadan. The result of no significant difference is a testimony to the reasons for prisons congestion in Nigeria at large and to Agodi prisons in particular. My strongest recommendation therefore, is prison reforms that will expedite court judgment against the backdrop of incessant adjournments of cases in order to reduce the gross injustice on unconvicted prisoners to reduce prisons congestion for better prisoners' welfares.

KEYWORDS: convicted prisoners, unconvicted prisoners, prisons, prisoners, Agodi, Ibadan.

INTRODUCTION

This research is a study of the Nigerian Prisons system showing the relationship between unconvicted and convicted prisoners in Agodi Prisons Ibadan and its implications for prison congestion and criminal justice system in Nigeria. The study is an exploration into the roles and functions the prison in the rehabilitation and reformation of prisoners and inmates in the face of delayed and unfair justice system consequent upon the several court adjournment harsh, crude treatment and the over congestion of Nigerian prisons in recent times.

The study will further examine if there is any difference in treatment and welfare of unconvicted and convicted prisoners in Agodi prisons Ibadan and also examined if there is a behavioural difference between these two classes of prisoners.

I became particularly interested in this study because of the way and manner in which prisoners are treated in Nigeria which makes it very difficult for one to distinguish between the unconvicted and convicted prisoners which negate the legal principle that man is innocent until he is proven guilty.

Statement of Problem

The statement of problem serves to elaborate upon the information implied in the title of the study. A good point of take off will be to ask on self question concerning relationship between sets of variables on the topic and focus on answering this question of relationship and effects on the research topic (Umoru, 2004:24, Osuala,2001).

The statement of problem therefore is:

- (a) Is there any significant difference between unconvicted and convicted prisoners in Agodi prisons Ibadan?

Purpose of the study

The purpose of the study is another important requirement that a research must contend with. This must express very clearly the intentions of the researcher towards solving the problem posed by the study at hand.

The general purpose of this study is an analysis of the Nigerian prisons system in Nigeria with a bias on the Agodi prisons Ibadan. Specifically the study view:

- (a) Examine if there is a significant difference between unconvicted and convicted prisoners in Agodi prisons Ibadan.

Significance of the Study

The significance of the study attempts to reveal the benefits or values derivable from the study to the Nigerian prison system and to the criminal justice system in Nigeria. The questions which the research must find answer to here are; what are the reasons for prison congestion in Nigeria? How has the criminal justice system contributed to prison congestion in Nigeria and how can these problems be resolved? The result of this study will be a major contribution to the effective prison management and criminal justice system in Nigeria generally and to Agodi Prisons in particular. The recommendations will also be of help to policy makers and above all the prisoners and prison warders' relationship will be further improved for better welfares and treatments.

Scope and Limitations of the study

The scopes of this study "builds a fence" around the study so that the researcher can have a sharp focus and firm control over the area of coverage. This is so because the study of prison covers a large spectrum. Our study therefore, is limited to the analysis of unconvicted and convicted prisoners of Agodi prisons Ibadan between 2001-2008. The limitations of the studies however, have to do with some factors such as the cost and rigors of search for data from one prison to another as well as other factor relating to the study, which limits the researcher freedom in making generalizations about the study.

RESEARCH METHODS AND MATERIALS

This study was conducted in 2008 in Ibadan and adopts the primary source of data which were sourced and derived directly from the record office of the Agodi prisons Ibadan in their raw form as well as some secondary source derivable from the review of extant literature. The major tool of analysis in this research is the Pearson product moment correlation coefficient represented by (r). This is because the method appears to be the most popular especially in hypothesis testing and in the use of statistical tables as will be seen later in the course of our analysis of the data.

Research Question.

Once the purpose of the study has been properly constructed as earlier done by the researcher, the research questions emerge from this purpose.

The research question of this study includes; to what extent has poor prison service complicated the difference between unconvicted and convicted prisoners in Agodi prison Ibadan.

Hypothesis

Hypothesis is a proposition, which can be tested with a view to determining its validity. It is a tentative answer to the research problems. However before we go stating our hypothesis, we must know that there are two types of hypothesis: the null hypothesis represented by H_0 and the alternate hypothesis represented by H_1 .

- Ho: there is no significant difference between unconvicted and convicted prisoners in Agodi prisons Ibadan.
Hi: Ho is false.

Literature review and Theoretical Framework/models of Prisons.

Ahire (1995:40) identified two models in sharp contention over the conceptualization of prisons and their role in society, which explains the theoretical basis of this study. These are therapeutic and social control models. The therapeutic model is led by the functionalist social science, which portrays the prison as institutions for the treatment and reformation of criminals and social misfits. This view is contingent upon the conception of crimes as deviation from accepted social norms, and criminals as non-conformist to social expectation on the account of inadequate or improper socialization by primary socializing agencies, particularly the family. The prison is therefore, perceived as a form of benign intervention by the state to correct behavioural problems which over burdened or malfunctioning families are unable to curb.

The therapeutic model simplistically assumes that there is a general consensus over what constitute appropriate norms of conduct in society. By so doing, erroneously glosses over important distinctions based on class, race, gender, religion, etc, which affects the perception of what conduct, is appropriate in different situations (Prison Watch 2008).

It is on this basis of these unattainable assumptions that the prisons are view as agencies for the treatment and reformation of offenders. This model therefore, denies offenders responsibility of their actions, and portrays them as persons suffering from psychological or psychiatric illness who need treatment and reformation. The treatment proposed is for states or conditions which may not appear to be problematic or those being treated, and may also be for long and indeterminate periods raising questions of justice and fairness (Morris 1980; Platt, 1978). Finally, there is no conclusive scientific proof that prisons are of any significant therapeutic value, going by the high reconviction rate of these who have previously been imprisoned (Kittrie 1971).

Radical and Marxist social science rejects in its entirety, the conception of prisons as therapeutic institutions and posits more convincingly that prisons should be understood as a part and parcel of the coercive apparatus of the state for the control of dominated groups and classes. From this point of view, prisons are perceived as co-extensive with other coercive state apparatus such as the police, court and the military, which serve the explicit purpose of coercive and subjugating subordinate group in accordance with the moral and material dictates of the ruling class. Far from being agencies of therapy prisons are viewed as agencies for the coercive control of criminals, radicals, dangerous or uncooperative groups that threaten the established order (Spitzer and Scull, 1977; Melossi and Pavaimi 1981). The prison institution mirrors the nature and effectiveness of social control in the larger society, and its examination can shed light on the nature of society's morality and its distribution of social power (Theophilus 1987).

Finally, the social control model examines the history of the emergence and role of the modern prison institution to demonstrate the class affinity between prisons and the moral and material interest of specific ruling classes.

From the foregoing, it is obvious that the Nigerian prisons system as it is today is a colonial creation and exhibits all the colonial trappings of crude exploitation and maltreatment of prisoners in different guise, political and socio-economics hence losing its basic roles of rehabilitations and reformation of prisoners.

RESULTS AND DISCUSSION

Table 1

Unconvicted and Convicted Prisoners

Year	1999	2000	2001	2002	2003	2004	2005
Unconvicted Prisoners	1991	1887	2632	2229	2578	2218	2159
Convicted Prisoners	158	293	307	281	163	381	183

Source: Records office, Nigeria Prisons Agodi, Ibadan 23rd November 2006

Table 2: Data Analysis

N	X	Y	$X - \bar{X}$	$Y - \bar{Y}$	$(X - \bar{X})^2$	$(Y - \bar{Y})^2$	$(\bar{X} - X)(Y - \bar{Y})$
1999	1991	158	-253.9	-108.6	64465.2	11793.9	27573.5
2000	1887	293	-357.9	26.4	128092.4	696.9	9448.5
2001	2652	307	407.1	40.4	255.8	1632.1	16446.8
2002	2229	281	-15.9	14.4	110955.6	207.3	228.9
2003	2578	163	333.1	-103.6	723.6	10732.9	34509.1
2004	2218	181	-26.9	-85.6	7378.8	7327.3	2302.6
2005	2159	183	-85.9	-83.6	477598.8	6988.9	7181.2
	$\Sigma 2244.9$	$\Sigma 266.6$			477598.8	39379.3	97690.6

$$r = \frac{(X-X)(Y-Y)}{\sqrt{(X-X)^2 (Y-Y)^2}} = \frac{97690.6}{\sqrt{477598.8 \times 39377.3}}$$

$$= \frac{97690.6}{137140,4624} = 0.71$$

Hypothesis testing

Ho: There is no significant difference between unconvicted and convicted prisoners in Agodi Prisons Ibadan.

Hi: Ho is false

a: 0.05

d.f.: $(n-2) = 7-2=5$.

r = 0.71

Critical value: = 0.6694 (one tail test)

Interpretation: Since the calculated value r of 0.71 is greater than the table/critical value of 0.6694 we reject Ho.

CONCLUSION: There is significant different between unconvicted and convicted Prisoners at Agodi Prison Ibadan at the 0.05 level.

RECOMMENDATIONS: The unconvicted Prisoners should be separated from the convicted prisoners in terms of their cells, wards, treatment to avoid any form of bad influence from the convicted ones as well as for better counseling programmes.

Similarly the result of no significant difference is a testimony to the reasons for prisons congestion in Nigeria at large and to Agodi prison in particular. My strongest recommendation therefore, is prison reforms that will expedite court judgment against the backdrop of incessant adjournments of cases in other to reduce the gross injustice on unconvicted prisoners to reduce prisons congestion for better prisoner's welfares.

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